

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 09/681,881
Filing Date: June 20, 2001
Inventor (first named): Squires, S. et al.
Group Art Unit: 1754
Examiner Name: Initial Patent Examination Division
Attorney Docket No.: 45722.2

AFFIDAVIT UNDER 37 CFR 1.47

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FEB 26 2002

Province of Alberta
CANADA

I, Edward Yoo, being duly sworn, depose and say as follows:

1. I am the patent agent of record in the above-noted application and as such have personal knowledge of the matters hereinafter deposed to except where stated to be based upon information and belief.
2. This affidavit is supplemental to the Affidavit of Mr. Neil Munro sworn September 28, 2001 and previously submitted with Applicant's petition under 37 CFR 1.47(a).
3. A package of the application papers consisting of a copy of the specification, claims and drawings as filed and a copy of a declaration was sent by registered mail (Canada Post) to Mr. Stuart Squires' last known address as well as to his legal counsel, a Mr. Colin MacDonald on December 18, 2001. Because the package was mailed by registered mail and not returned to sender, it is known that the package was received by the addressee. A copy of the correspondence is attached hereto as Exhibit A.
4. To this date, neither Mr. Squires nor his legal counsel have contacted myself or Well to Wire Emissions Control Inc. with respect to the application papers. I spoke with Mr. MacDonald on February 20, 2002 by telephone. Mr. MacDonald indicated that he and Mr. Squires had received the application papers. He further indicated that Mr. Squires had not changed his mind regarding his refusal to sign the declaration. His previous refusal to sign is detailed in Mr. Munro's previously filed Affidavit. I concluded from the telephone conversation that Mr. Squires is continuing his refusal to sign the declaration. I am unable to contact Mr. Squires directly because it is unethical for an attorney to directly contact a party when it is known that party has retained legal counsel.

